

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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 CALVIN SPENCE, :  
 :  
 Plaintiff, :  
 :  
 -against- :  
 :  
 CITY OF NEW YORK, KEVIN WEBER, and :  
 JOHN OR JANE DOE 1-10, :  
 :  
 Defendants. :  
 :  
 -----X

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DATE FILED: <u>3/3/2021</u>

**ORDER**

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on December 2, 2020 against Defendants City of New York (“City”), Kevin Weber (“Weber”), and John or Jane Doe 1-10, (Doc. 1), and on December 16, 2020, filed proof of service on Defendant Weber on December 15, 2020, (Doc. 6). The deadline for Defendant Weber to respond to Plaintiff’s complaint was January 4, 2021. (See Doc. 6.) To date, Defendant Weber has not appeared or responded to the complaint. Plaintiff, however, has taken no action to prosecute this case. Accordingly, if Plaintiff intends to seek a default judgment he is directed to do so in accordance with Rule 4(H) of my Individual Rules and Practices in Civil Cases by no later than March 18, 2021. If Plaintiff fails to do so or otherwise demonstrate that he intends to prosecute this litigation, I may dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: March 3, 2021  
 New York, New York

  
 VERNON S. BRODERICK  
 United States District Judge